

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CR 20-2117-MV

RICHARD STAREK,

Defendant.

**Order and Notice of Trial**

THIS MATTER is before the Court on the defendant's *Unopposed Motion to Continue Trial* [27]. The Court has weighed the representations made in the motion and finds granting a continuance to resolve these issues outweighs the public and defendant's interest in a speedy trial pursuant to 18 U.S.C. § 3161, for the reasons set forth in the defendant's Motion.

Conducting a trial in the face of these facts would be contrary to the interests of justice. *Zedner v. United States* 126 S. Ct. 1976 (2006). Now, therefore,

**IT IS ORDERED** that the trial of this action be and hereby is continued from May 17, 2021, to **Monday, August 9, 2021, at 9:00 a.m.**, on a trailing docket, in the Rio Grande Courtroom at the United States Courthouse in Albuquerque, New Mexico, pursuant to 18 U.S.C. § 3161(h)(7)(A), with the following pretrial dates and deadlines. It is further ordered that the period of time from the entry of this Order until the new trial date shall be excluded from the time limitations set forth within 18 U.S.C. § 3161(c)(1).

| <b><u>Event</u></b>   | <b><u>Date/Deadline</u></b><br><b>Counsel must file all trial documents in accordance with this schedule until a Motion to Continue is GRANTED by the Court.</b>  |
|---|---|
| <b>Pretrial Motions<br/>(Other than Motions in Limine)</b>          | <b>May 3, 2021</b>  |
| <b>Motion to Continue</b>   | <b>June 21, 2021</b>  |
| Joint Jury Instructions,<br>Witness and Exhibit Lists, Voir Dire    | June 28, 2021   |
| Objections to Witness and Exhibit Lists,<br>Objections to Voir Dire | July 6, 2021  |
| Motions in Limine/Response/Reply                                    | June 28, 2021 / July 6, 2021 / July 12, 2021.<br><br><b>Responses and Replies to Motions filed 14 days or more before this deadline are due in accordance with the Federal and Local Rules of Criminal Procedure.</b><br><br><b>A continuation of the trial date does not extend the Response or Reply deadline for previously filed Motions in Limine.</b> |
| <b>Call of the Calendar</b>   | <b>July 16, 2021, 9:30 a.m. (In Santa Fe)</b>   |
| <b>Jury Selection/Trial</b>   | <b>August 9, 2021, 9:00 a.m. (In Albuquerque)</b>   |

In an effort to conserve judicial resources, the Court must be advised of all plea agreements no later than ten (10) working days prior to trial. The plea must be entered at least five (5) days prior to the trial date.



MARTHA VÁZQUEZ  
UNITED STATES DISTRICT JUDGE

Linda Z. Romero, Courtroom Deputy - (505) 992-3826

Trial Preparation guidelines: <http://www.nmd.uscourts.gov/content/honorable-martha-vazquez>